

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, NOVEMBER 7, 2016 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Gaylor Baird; Council Members: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; City Clerk: Teresa J. Meier.

Council Chair Gaylor Baird announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. She asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

## READING OF THE MINUTES

CAMP Having been appointed to read the minutes of the City Council proceedings of October 31, 2016, reported having done so, found same correct.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

# PUBLIC HEARING

APPOINTING DEANE FINNEGAN, TRACY EDGERTON, AND THOMAS BECKIUS TO THE LINCOLN-  
ANCASTER COUNTY PLANNING COMMISSION FOR TERMS OF JANUARY 1, 2017 THROUGH  
AUGUST 24, 2021;

APPOINTING SANDRA WASHINGTON TO THE LINCOLN CITY-LANCASTER COUNTY PLANNING COMMISSION FOR A TERM EXPIRING AUGUST 24, 2019 - Thomas Beckius, 8217 Windmill Drive, applicant, came forward and requested approval.

Deane Finnegan, 1936 Ryons Street, applicant, came forward and requested approval.

Tracy Edgerton, 6801 Stonebrook Parkway, applicant, came forward and requested approval.

Sandra Washington, 2025 Sewell Street, applicant, came forward and requested approval.

Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF RYAN W. ROSENSTIEL FOR SMALL TOWN BAR, INC. DBA ROSIE'S SPORTS BAR & GRILL AT 1501 CENTER PARK ROAD #300. (10/31/16 - PUBLIC HEARING & ACTION DELAYED FOR 1 WEEK TO 11/7/16) - Ryan W. Rosenstiel, 2701 Shelly Circle, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATION OF LOF LINCOLN TRS, LLC DBA COUNTRY INN & SUITES BY CARLSON, LINCOLN  
NORTH, NE FOR A CLASS I LIQUOR LICENSE AT 5353 NORTH 27<sup>TH</sup> STREET;

MANAGER APPLICATION OF DEBORAH D. CARROLL FOR LOF LINCOLN TRS, LLC DBA COUNTRY INN & SUITES BY CARLSON, LINCOLN NORTH, NE AT 5353 NORTH 27<sup>TH</sup> STREET - Deborah D. Carroll, 1623 S. 27th Street, applicant, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF CASTLEWOOD-PINNACLE SOUTH JORDAN, LLC DBA COURTYARD BY MARRIOTT  
LINCOLN DOWNTOWN/HAYMARKET FOR A CLASS C LIQUOR LICENSE AT 808 R STREET;

MANAGER APPLICATION OF STEPHANIE R. WATKINS FOR CASTLEWOOD-PINNACLE SOUTH JORDAN, LLC DBA COURTYARD BY MARRIOTT LINCOLN DOWNTOWN/HAYMARKET AT 808 R STREET - Stephanie R. Watkins, 5400 Union Hill Road, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATION OF YARD INVESTMENTS, LLC DBA GATE 25 FOR THE ADDITION OF A CATERING LICENSE TO THEIR CLASS C LIQUOR LICENSE AT 300 CANOPY STREET, SUITE 140 - Brandon Akert, 2838 William Street, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, AND BRYAN MEDICAL CENTER TO PROVIDE LAB SERVICES TO EMPLOYEES FOR A FOUR YEAR TERM OF NOVEMBER 1, 2016 THROUGH OCTOBER 31, 2020 - Bill Kostner, Human Resources, came forward and shared that this request typically applies to the first responders, police and fire. If there is a blood borne pathogen exposure, those exposed would go in for HIV testing, Hepatitis B, and Hepatitis C at a reduced cost and performed quickly. This Agreement was previously in effect for 4 years and has since been very successful.

This matter was taken under advisement.

SPECIAL PERMIT 300C – APPEAL OF JEFF MONZU FROM THE PLANNING COMMISSION’S APPROVAL OF A SPECIAL PERMIT TO ALLOW FOR RECONSTRUCTION OF A NON-CONFORMING FACILITY, WITH WAIVERS TO INCREASE THE ALLOWABLE SQUARE FOOTAGE, INCREASE THE NUMBER OF ALLOWABLE PARKING SPACES, AND INCREASE THE NUMBER OF ALLOWABLE MEMBERS RESIDING ON THE PREMISES, ON PROPERTY GENERALLY LOCATED AT 3601 APPLE STREET - Jeff Monzu, Architect with Leo A. Daly, 8600 Indian Hills Drive, Omaha, came forward and explained the original permit that was approved by the Planning Commission had 12 conditional items. At the time, we requested one of those conditional items to be removed which was the location of the dumpster on the property. Where the dumpster is planned to be moved still meets the requirements, will be screened and will following other design ordinances. The project has gone through a long design process, working with the East Campus Community Organization and Neighborhood Association in terms of placement of the building on the property. Originally, the building was on one end of the property and is now moved to the other end of the property, which is more amicable to the Neighborhood Association. There is currently a service drive associated with this for deliveries and trash removal. The service drive was placed behind the facility to allow deliveries and trash pickup without mixing with the member parking lot. One of the Neighborhood requirements was to get as many parking stalls as possible on the property and increase landscaping buffers with the neighborhood. The requirement was to achieve 68 parking stalls on the lot and they currently have 79 stalls planned. They have also allowed for perimeter landscaping at the edges and the retention requirements are taken care of on the property. Moving the dumpster as it states in the special permit might create problems with organization on the property. They have kitchen services and dining services on the same end as the service drive. The service drive was also intended to keep all the service traffic as far away as possible to the single family housing neighborhood as possible, as well as keeping it out of the member parking lot. That is the one provision that is being asked to be removed from the special permit.

Jane Raybould, Council Member, asked if the surrounding neighborhood was notified of this request.

Mr. Monzu confirmed the neighbors on the other end of the lot were not part of the East Campus Community Organization, and most of their conversations were with them. That also involved the Historic District, but there have been no specific communication with the neighbors on how the property will be used. There will be some neighborhood meetings to deal with other issues.

Ms. Raybould inquired about the specifics of the dumpster and if it is a compactor.

Mr. Monzu explained the intent would be to have a regular commercial dumpster. One of the earlier concerns was the trash being picked up early and being close to the surrounding residence. The current hauler confirmed the current pickup times for that area would be on Tuesdays and Fridays at 10:00 a.m. Where the service drive is, there will be screening from the current neighbors, there will be a wall and some landscaping to follow the dumpster enclosure requirements.

Ms. Raybould stated there was some concern about the current landscaping.

Mr. Monzu said they will be removing some of the landscaping, but plan to maintain some of the bigger trees on the property. Discussion followed.

Ms. Raybould mentioned concerns the neighbors were having with runoffs.

Mr. Monzu stated that Olsson and Associates is the design partner for this site and they are very familiar with the City requirements and intend to follow those requirements.

Ms. Raybould asked for clarification on what is being voted on with the appeal.

Jeff Kirkpatrick, City Attorney, clarified they would be appealing what was passed by the Planning Commission. The appeal just brings it in front of Council, but there is also a request to strike two lines, which would take an amendment from the Council. The two lines are 19 and 20 on page 3, and those lines pertain to the location of the dumpster.

Leirion Gaylor Baird, Council Chair, asked for an explanation regarding any rules pertaining to the location of the dumpster and the distance from surrounding neighbors.

David Cary, Planning Department Director, came forward and explained there are no rules as far as the location of the dumpster in this type of a use.

Ms. Gaylor Baird asked if any of the neighbors were notified of the appeal.

Mr. Cary said there was regular notification of the special permit that went to the Planning Commission, and the surrounding properties all received notice. As it is written, the appeal process does not require notification to the adjacent property owners. However, in this case, the Neighborhood Association was contacted about the appeal and they did have that information. Discussion followed.

This matter was taken under advisement.

## **COUNCIL ACTION**

### **REPORTS OF CITY OFFICERS**

REAPPOINTING BRENDAN J. MOORE, GARRY LEE MORGAN, ~~AND DAN G. PETERSEN~~ TO THE VETERANS MEMORIAL GARDEN ADVISORY COUNCIL FOR TERMS EXPIRING NOVEMBER 1, 2019 - PRIOR to reading:

CHRISTENSEN Moved to Amend Bill No. 16R-234 by removing the reappointment of Dan G. Petersen from the Veteran's Memorial Garden Advisory Council.

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

CLERK                    Read the following resolution, introduced by Jane Raybould, who moved its adoption:  
A-90059                BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
                         That the reappointments of Brendan J. Moore, Garry Lee Morgan, ~~and Dan G. Petersen~~ to the  
Veterans Memorial Garden Advisory Council, for terms expiring November 1, 2019, are hereby approved.  
                         Introduced by Jane Raybould  
                         Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers,  
Gaylor Baird, Lamm, Raybould: NAYS: None.

APPOINTING DEANE FINNEGAN, TRACY EDGERTON, AND THOMAS BECKIUS TO THE LINCOLN-  
LANCASTER COUNTY PLANNING COMMISSION FOR TERMS OF JANUARY 1, 2017 THROUGH  
AUGUST 24, 2021 - CLERK read the following resolution, introduced by Jane Raybould, who moved its  
adoption:

A-90060                BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
                         That the appointments of Deane Finnegan, Tracy Edgerton, and Thomas Beckius to the Lincoln-  
Lancaster County Planning Commission, for terms of January 1, 2017 through August 24, 2021, are hereby  
approved.  
                         Introduced by Jane Raybould  
                         Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers,  
Gaylor Baird, Lamm, Raybould: NAYS: None.

APPOINTING SANDRA WASHINGTON TO THE LINCOLN CITY-LANCASTER COUNTY PLANNING  
COMMISSION FOR A TERM EXPIRING AUGUST 24, 2019 - CLERK read the following resolution,  
introduced by Jane Raybould, who moved its adoption:

A-90061                BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
                         That the appointment of Sandra Washington to the Lincoln City-Lancaster County Planning  
Commission, for a term expiring August 24, 2019, is hereby approved.  
                         Introduced by Jane Raybould  
                         Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers,  
Gaylor Baird, Lamm, Raybould: NAYS: None.

REAPPOINTING JAMES CROOK, BOB RIPLEY, JOE TIDBALL, AND KATHI WIESKAMP TO THE PARKS  
AND RECREATION ADVISORY BOARD FOR TERMS EXPIRING APRIL 27, 2019 - CLERK read the  
following resolution, introduced by Jane Raybould, who moved its adoption:

A-90062                BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
                         That the reappointments of James Crook, Bob Ripley, Joe Tidball, and Kathi Wieskamp to the  
Parks and Recreation Advisory Board, for terms expiring April 27, 2019, are hereby approved.  
                         Introduced by Jane Raybould  
                         Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers,  
Gaylor Baird, Lamm, Raybould: NAYS: None.

APPOINTING HANNAH CASS AND JUSTINE LINSOTT TO THE PARKS AND RECREATION ADVISORY  
BOARD FOR TERMS EXPIRING JUNE 1, 2017 - CLERK read the following resolution, introduced by  
Jane Raybould, who moved its adoption:

A-90063                BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
                         That the appointments of Hannah Cass and Justine Linscott to the Parks and Recreation Advisory  
Board, for terms expiring June 1, 2017, are hereby approved.  
                         Introduced by Jane Raybould  
                         Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers,  
Gaylor Baird, Lamm, Raybould: NAYS: None.

SETTING THE HEARING DATE OF MONDAY, DECEMBER 12, 2016, AT 3:00 P.M. FOR THE  
ASSESSMENT OF WEED ABATEMENT COSTS INCURRED BY THE CITY OF LINCOLN FOR THE  
PERIOD OF JANUARY 1, 2016 THROUGH DECEMBER 31, 2016 - CLERK read the following  
resolution, introduced by Jon Camp, who moved its adoption:

A-90064                BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
                         That a public hearing date of Monday, December 12, 2016, at 3:00 p.m. or as soon thereafter as  
possible is hereby set on the assessment of weed abatement costs incurred by the City of Lincoln, Nebraska,  
for the period of January 1, 2016 through December 31, 2016.  
                         Introduced by Jon Camp  
                         Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge,  
Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY  
COUNCIL ON OCTOBER 124, 2016 - CLERK presented said report which was placed on file in the  
Office of the City Clerk. **(27-1)**

REPORT FROM CITY TREASURER OF 911 SURCHARGES FOR THE MONTH OF OCTOBER, 2016 -  
CLERK presented said report which was placed on file in the Office of the City Clerk. **(20-02)**

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REPORT FROM CITY TREASURER OF FRANCHISE FEES FROM BLACK HILLS CORPORATION FOR THE MONTH OF SEPTEMBER, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(16-1)**

REPORT FROM CITY TREASURER OF CABLE FRANCHISE TAX FROM WINDSTREAM - CLERK presented said report which was placed on file in the Office of the City Clerk. **(41-2518C)**

**PETITIONS & COMMUNICATIONS**

SETTING THE HEARING DATE OF MONDAY, NOVEMBER 21, 2016, AT 5:30 P.M. ON THE APPLICATION OF LEGENDS HAYMARKET LLC DBA LEGENDS PATIO GRILL AND BAR FOR A CLASS CK LIQUOR LICENSE LOCATED AT 801 R STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90065 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, November 21, 2016, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Legends Haymarket LLC dba Legends Patio Grill and Bar for a Class CK Liquor License located at 801 R Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

SETTING THE HEARING DATE OF MONDAY, NOVEMBER 21, 2015 AT 5:30 P.M. ON THE MANAGER APPLICATION OF BRIAN D. HEXSEL FOR CHIPOTLE MEXICAN GRILL #673 AT 2801 PINE LAKE RD. SUITE V, AND CHIPOTLE MEXICAN GRILL #1651 AT 1317 Q STREET, SUITE 100 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90066 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, November 21, 2016, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Brian D. Hexsel for Chipotle Mexican Grill #673 at 2801 Pine Lake Rd. Suite V, and Chipotle Mexican Grill #1651 at 1317 Q Street, Suite 100.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

SETTING THE HEARING DATE OF MONDAY, NOVEMBER 21, 2015 AT 5:30 P.M. ON THE MANAGER APPLICATION OF CHRISTOPHER J. MORRE FOR GRANITE CITY RESTAURANT OPERATIONS INC. DBA GRANITE CITY FOOD & BREWERY AT 6200 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90067 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, November 21, 2016, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Christopher J. Morre for Granite City Restaurant Operations Inc. dba Granite City Food & Brewery at 6200 O Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

SETTING THE HEARING DATE OF MONDAY, NOVEMBER 21, 2015 AT 5:30 P.M. ON THE MANAGER APPLICATION OF KYRSTIN A. ALBERTUS FOR DEMPSEY'S LINCOLN, INC. DBA DEMPSEY'S BURGER PUB AT 228 N. 12<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90068 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, November 21, 2016, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Kyrstin A. Albertus for Dempsey's Lincoln, Inc. dba Dempsey's Burger Pub at 228 N. 12<sup>th</sup> Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

SETTING THE HEARING DATE OF MONDAY, NOVEMBER 21, 2015 AT 5:30 P.M. ON THE APPLICATION OF CITY OF LINCOLN DBA HOLMES GOLF CLUBHOUSE COURSE FOR A CLASS C LIQUOR LICENSE AT 3701 S. 70<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90069 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, November 21, 2016, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of City of Lincoln dba Holmes Golf Clubhouse for a Class C Liquor License at 3701 S. 70<sup>th</sup> Street.  
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

SETTING THE HEARING DATE OF MONDAY, NOVEMBER 21, 2015 AT 5:30 P.M. ON THE APPLICATION OF ICHIBAN SICHUAN LINCOLN LLC DBA ICHIBAN SICHUAN FOR A CLASS I LIQUOR LICENSE AT 151 N. 8<sup>TH</sup> STREET, SUITE 100 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90070 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, November 21, 2016, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Ichiban Sichuan Lincoln LLC dba Ichiban Sichuan for a Class I Liquor License at 151 N. 8<sup>th</sup> Street, Suite 100.  
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

SETTING THE HEARING DATE OF MONDAY, NOVEMBER 21, 2015 AT 5:30 P.M. ON THE APPLICATION OF SUPER BOGEY LLC DBA THE DUTCH UNCLE FOR A CLASS C LIQUOR LICENSE AT 317 S. 11<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90071 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, November 21, 2016, at 5:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Super Bogey LLC dba The Dutch Uncle for a Class C Liquor License at 317 S. 11<sup>th</sup> Street.  
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 16044 to Special Permit No. 14052, Gable Pines Community Unit Plan, approved by the Planning Director on October 25, 2016, to revise the site plan from 229 persons in assisted living and independent care to 152 persons, to revise parking accordingly, and to modify the building footprint to have two driveways onto Gable Pines Road, generally located at Anthony Lane and O Street.  
Administrative Amendment No. 16066 to Special Permit No. 2022E, Jamie Lane Commercial Center, approved by the Planning Director on October 27, 2016, to revise the land use from "Commercial" to "Auto Sales/Service or Commercial" and to reduce the front yard setback along Grainger Pkwy., and to revise Notes to apply same conditions to this lot as for other lots approved for Auto Sales/Service and require existing trees on the north side to be retained with the reduced setback, generally located at S. 30<sup>th</sup> Street and Grainger Parkway.  
Administrative Amendment No. 16072 to Change of Zone No. 2531Z, Williamsburg Village Planned Unit Development, approved by the Planning Director on October 26, 2016, to revise the parking layout and add an access drive and garage on Lot 2, generally located at 6100 Faulkner Drive.

## LIQUOR RESOLUTIONS

MANAGER APPLICATION OF RYAN W. ROSENSTIEL FOR SMALL TOWN BAR, INC. DBA ROSIE'S SPORTS BAR & GRILL AT 1501 CENTER PARK ROAD #300. (10/31/16 - PUBLIC HEARING & ACTION DELAYED FOR 1 WEEK TO 11/7/16) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90072 WHEREAS, Small Town Bar, Inc. dba Rosie's Sports Bar & Grill located at 1501 Center Park Road #300, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Ryan W. Rosenstiel be named manager;  
WHEREAS, Ryan W. Rosenstiel appears to be a fit and proper person to manage said business.  
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

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That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Ryan W. Rosenstiel be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

APPLICATION OF LOF LINCOLN TRS, LLC DBA COUNTRY INN & SUITES BY CARLSON, LINCOLN NORTH, NE FOR A CLASS I LIQUOR LICENSE AT 5353 NORTH 27<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90073 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of LOF Lincoln TRS, LLC dba Country Inn & Suites by Carlson, Lincoln North, NE for a Class "I" liquor license at 5353 North 27th Street, Lincoln, Nebraska, for the license period ending April 30, 2017, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.
2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
3. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

MANAGER APPLICATION OF DEBORAH D. CARROLL FOR LOF LINCOLN TRS, LLC DBA COUNTRY INN & SUITES BY CARLSON, LINCOLN NORTH, NE AT 5353 NORTH 27<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90074 WHEREAS, LOF Lincoln TRS, LLC dba Country Inn & Suites by Carlson, Lincoln North, NE located at 5353 North 27th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Deborah D. Carroll be named manager;

WHEREAS, Deborah D. Carroll appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Deborah D. Carroll be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

APPLICATION OF CASTLEWOOD-PINNACLE SOUTH JORDAN, LLC DBA COURTYARD BY MARRIOTT LINCOLN DOWNTOWN/HAYMARKET FOR A CLASS C LIQUOR LICENSE AT 808 R STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90075 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Castlewood-Pinnacle South Jordan, LLC dba Courtyard by Marriott Lincoln Downtown/Haymarket for a Class "C" liquor license at 808 R Street, Lincoln, Nebraska, for the license period ending October 31, 2017, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
2. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

MANAGER APPLICATION OF STEPHANIE R. WATKINS FOR CASTLEWOOD-PINNACLE SOUTH JORDAN, LLC DBA COURTYARD BY MARRIOTT LINCOLN DOWNTOWN/HAYMARKET AT 808 R STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90076 WHEREAS, Castlewood-Pinnacle South Jordan, LLC dba Courtyard by Marriott Lincoln Downtown/Haymarket located at 808 R Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Stephanie R. Watkins be named manager;  
WHEREAS, Stephanie R. Watkins appears to be a fit and proper person to manage said business.  
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Stephanie R. Watkins be approved as manager of this business for said licensee.  
The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

APPLICATION OF YARD INVESTMENTS, LLC DBA GATE 25 FOR THE ADDITION OF A CATERING LICENSE TO THEIR CLASS C LIQUOR LICENSE AT 300 CANOPY STREET, SUITE 140 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90077 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Yard Investments, LLC dba Gate 25 for the addition of a catering license to their existing Class C liquor license located at 300 Canopy Street, Suite 140, Lincoln, Nebraska, be approved with the condition that the premises complies in every respect with all City and State regulations.  
BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

#### PUBLIC HEARING - RESOLUTIONS

APPROVING AN AGREEMENT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, AND BRYAN MEDICAL CENTER TO PROVIDE LAB SERVICES TO EMPLOYEES FOR A FOUR YEAR TERM OF NOVEMBER 1, 2016 THROUGH OCTOBER 31, 2020 - PRIOR to reading:

CHRISTENSEN Moved to Amend Bill No. 16R-238 by replacing the Agreement between the City of Lincoln, Lancaster County, and Bryan Medical Center which is attached to the resolution with the Agreement attached hereto.

Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None

CLERK Read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90078 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the Agreement between the City of Lincoln, Lancaster County, and Bryan Medical Center to provide lab services to employees for a four year term from November 1, 2016 through October 31, 2020, upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Jane Raybould

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

SPECIAL PERMIT 300C – APPEAL OF JEFF MONZU FROM THE PLANNING COMMISSION’S APPROVAL OF A SPECIAL PERMIT TO ALLOW FOR RECONSTRUCTION OF A NON-CONFORMING FACILITY, WITH WAIVERS TO INCREASE THE ALLOWABLE SQUARE FOOTAGE, INCREASE THE NUMBER OF ALLOWABLE PARKING SPACES, AND INCREASE THE NUMBER OF ALLOWABLE MEMBERS RESIDING ON THE PREMISES, ON PROPERTY GENERALLY LOCATED AT 3601 APPLE STREET - PRIOR to reading:

LAMM Moved to Amend Bill No. 16R-239 by striking lines 19 & 20 on page 3.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

CLERK Read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90079 WHEREAS, Nebraska FarmHouse Association has submitted an application designated as Special Permit No. 300C to amend an existing Special Permit to allow for reconstruction of a non-conforming facility and to increase the allowable square footage from 22,300 square feet to 32,000 square feet; an increase in allowable parking from 57 stalls to 88 stalls; and an increase in allowable members residing on the premises from 80 members to 88 members plus a housemother, on property generally located at 3601 Apple Street and legally described as:

Lots 1-5, Block 9, Woods Brothers University Addition; vacated Fontenelle Street between the south right-of-way line of Apple Street and the north line of right-of-way of the vacated MOPAC Railroad Co.; and the north 50 feet of the vacated MOPAC railroad right-of-way abutting Lots 1.5, Block 9; and Lot 10, Meadow Lark Addition and the 35 foot adjacent strip to the south, all in the

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Northeast Quarter of Section 19, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

WHEREAS, the Lincoln City-Lancaster County Planning Commission held a public hearing on September 28, 2016 on said application and adopted Resolution No. PC-01524 approving the same; and

WHEREAS, Jeff Monzu has filed a Notice of Appeal appealing the action of the Planning Commission approving Special Permit No. 300C; and

WHEREAS, pursuant to Lincoln Municipal Code § 27.27.080(g), the action appealed from is deemed advisory and the City Council is authorized to take final action on the application for Special Permit No. 300C; and

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this special permit will not be adversely affected by granting such a permit; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the Comprehensive Plan of the City of Lincoln and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the application of Nebraska FarmHouse Association, hereinafter referred to as "Permittee", to amend an existing Special Permit to allow for reconstruction of a non-conforming facility and to increase the allowable square footage from 22,300 square feet to 32,000 square feet; an increase in allowable parking from 57 stalls to 88 stalls; and an increase in allowable members residing on the premises from 80 members to 88 members plus a housemother, on the property described above, be and the same is hereby granted under the provisions of Section 27.63.280 of the Lincoln Municipal Code upon condition that construction be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves the reconstruction of the FarmHouse Fraternity, a nonconforming use, with an increase in allowable square footage from 22,300 square feet to 32,000 square feet; an increase in allowable parking from 57 stalls to 88 stalls; and an increase in allowable members residing on the premises from 80 members to 88 members plus a housemother.
2. Before receiving building permits:
  - a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised site plan including 3 copies with all required revisions as listed below:
    - i. Final design for the project shall be subject to Historic Preservation Commission certificate of appropriateness approval with the Commission having review authority over the demolition of 3639 Apple Street residence, the new construction and the project as a whole.
    - ii. Add note on plans on how many approved persons for residence per the Special Permit.
    - iii. Provide screening and landscaping plan that meets Design Standards to the satisfaction of the Planning Director. Also, show all existing trees to remain as part of the landscaping plan including retention of trees on west and east.
    - iv. Show location of bike trail and any trail easements on the property.
    - v. Show 14' setback line for landscaping on south side of the original property.
    - ~~vi. Show dumpster location on plan along south property line in parking area further from the residential property to the west.~~
    - vii. Change Schematic Design Not for Construction to Special Permit #300C.
    - viii. Remove building strikeout and Addition text south of the Proposed New Construction building location. Also, remove University text along west property line and Meadow Lark Addition text along the east property line.
    - ix. Remove all light text on building corners/periphery areas.
    - x. Identify 25' front building setback line along Apple Street right of way.
    - xi. Show 20' setback line for parking lot on the east side of the property.
    - xii. Add 10' utility easement as identified by LES that would be located 44 feet north of the south property line, extending east-west through the parking area. This is a new easement to cover existing facilities.
  - b. Permittee shall provide verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded with the Register of Deeds.
  - c. The construction plans must substantially comply with the approved plans.
3. All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established owners association approved by the City.
4. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters shall be in substantial compliance with the location of said items as shown on the approved site plan.
5. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
6. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued until the letter of acceptance has been filed.



Introduced by Jane Raybould

Seconded by Lamm & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

**PUBLIC HEARING ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS - NONE.**

**ORDINANCES - 3<sup>rd</sup> READING & RELATED RESOLUTIONS**

ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$17,500,000 AGGREGATE STATED PRINCIPAL AMOUNT OF GENERAL OBLIGATION HIGHWAY ALLOCATION FUND PLEDGE REFUNDING BONDS OF THE CITY OF LINCOLN, NEBRASKA - CLERK read an ordinance, introduced by Trent Fellers, an ordinance authorizing and providing for the issuance, sale and delivery of General Obligation Highway Allocation Fund Refunding Bonds, Series 2016 in an aggregated principal amount not to exceed \$17,500.00 for the purpose of providing for the payment and redemption of \$17,405.00 aggregate principal amount of the City's outstanding General Obligation Highway Allocation Fund Pledge Bonds; prescribing certain of the terms of the bonds; delegating, authorizing and directing the Finance Director to exercise his or her own independent judgment and absolute discretion in certain other terms and provisions of the bonds; pledging funds received from the Nebraska Highway Allocation Fund and providing for the levy of a tax on all of the taxable property within the city to pay the principle of and interest on such bonds; establishing the terms and condition upon which additional Highway Allocation Fund refunding bonds may be issued; and related matters, the third time.

FELLERS Moved to pass the ordinance as read.

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

The ordinance, being numbered **#20383**, is recorded in Ordinance Book 31.

TEXT AMENDMENT 16009 – AMENDING CHAPTER 27.69 OF THE LINCOLN MUNICIPAL CODE RELATING TO SIGNS BY AMENDING SECTION 27.69.090 TO ALLOW PERMITTED WALL SIGNS ON THE BUILDING FAÇADE OF PLACES OF RELIGIOUS ASSEMBLY, SCHOOLS, AND COMMUNITY PLAYHOUSES TO BE INCREASED TO A MAXIMUM OF 100 SQUARE FEET IF SUCH USE IS LOCATED 200 FEET FROM ANY STREET FRONTAGE, TO DELETE THE REQUIREMENT THAT SUCH USE BE LOCATED IN AN AG OR AGR DISTRICT, AND TO PROVIDE THAT WHEN SUCH USE IS LOCATED A MINIMUM OF 100 FEET FROM ANY STREET FRONTAGE, THE PERMITTED WALL SIGN SHALL BE A MAXIMUM OF 50 SQUARE FEET, AND REPEALING SECTION 27.69.090 AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Trent Fellers, an ordinance amending Chapter 27.69 of the Lincoln Municipal Code relating Signs by amending Section 27.69.090 to amend the exception allowing the permitted wall sign on the building facade of places of religious assembly, schools, and community playhouses to be increased from a maximum of 20 square feet to 100 square feet if such use is located a minimum of 200 feet from any street frontage, to delete the restriction that such use is located in an Ag or Agr district, and to provide that when such use is located a maximum of 50 square feet, and repealing Section 27.693090 is hitherto existing, the third time.

FELLERS Moved to pass the ordinance as read.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

The ordinance, being numbered **#20384**, is recorded in Ordinance Book 31.

APPROVING THE 48<sup>TH</sup> & LEIGHTON REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND 48<sup>TH</sup> & LEIGHTON I, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED BETWEEN 46<sup>TH</sup> AND 48<sup>TH</sup> STREETS, HUNTINGTON AND LEIGHTON TO CONSTRUCT TWO NEW BUILDINGS, FOUR AND FIVE STORIES RESPECTIVELY, COLLECTIVELY INCLUDING APPROXIMATELY 28,000 SQUARE FEET OF FIRST FLOOR COMMERCIAL AND RESIDENTIAL ABOVE FOR APPROXIMATELY 184 APARTMENT UNITS. (RELATED ITEMS: 16R-229, 16R-230, 16-99) (ACTION DATE: 11/7/16) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-90080 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached 48th & Leighton Phase I Redevelopment Agreement between the City of Lincoln and 48th & Leighton I, LLC relating to the redevelopment of property generally located between 46th and 48th Streets, Huntington and Leighton to construct two new buildings, four and five stories respectively, collectively including approximately 28,000 square feet of first floor commercial space and approximately 184 residential units on the upper floors, upon the terms and conditions set forth in said Redevelopment Agreement, which is attached hereto marked as Attachment "A", is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to transmit one fully executed original and one copy of said Agreement to David Landis, Urban Development Department. David Landis is further directed to transmit the original Agreement to 48th & Leighton I, LLC.

Introduced by Trent Fellers

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

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AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$5,000,000 IN TIF FUNDS FOR THE 48<sup>TH</sup> & LEIGHTON PHASE 1 PROJECT. (RELATED ITEMS: 16R-229, 16R-230, 16-99) (ACTION DATE: 11/7/16)- CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-90081 WHEREAS, Resolution No. A-89947, adopted by the City Council of Lincoln, Nebraska on August 22, 2016, amended the fiscal year 2016-2018 annual budgets for the City of Lincoln for the 2016-2017 fiscal year and further adopted the Capital Improvement Program attached to Resolution No. A-89947 as Schedule No. 5; and

WHEREAS, it is necessary to amend the Schedule of Capital Improvement Projects for the fiscal year beginning September 1, 2016 within the Capital Improvement Program (CIP) adopted by and attached to Resolution No. A-89947 as Schedule 5 to establish the 48th & Leighton Phase 1 Redevelopment Project (an approved project in the University Place Redevelopment Plan) to construct two new building, four and five stories respectively, collectively including approximately 28,000 square feet of first floor commercial space and approximately 184 residential units, and to pay costs of public improvements and public enhancements associated with said Project as a capital improvement project within the adopted Capital Improvement Program; and (2) transferring and establishing appropriations in the amount of \$5,000,000.00 from TIF funds for said capital improvement project.

WHEREAS, Article IX-B Section 7 of the Lincoln City Charter states that, "The [city] council shall not appropriate any money in any budget for any capital improvements project unless and until the conformity or non-conformity of the project has been reported on by the Planning Department by special report or in connection with the Capital Improvements Programming process." The Charter definition of "Planning Department" includes the Planning Commission; and

WHEREAS, the Lincoln City-Lancaster County Planning Commission has previously reviewed the 48th & Leighton Phase 1 Redevelopment Project for conformity or non-conformity with the Comprehensive Plan as a capital improvement project to be funded by TIF as part of its review of the amendment to the University Place Redevelopment Plan to add the 48th & Leighton Phase 1 Redevelopment Project and the Planning Commission found the proposed project to be in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. That the implementation of the University Place Redevelopment Plan, 48th & Leighton Phase 1 Redevelopment Project, to construct two new building, four and five stories respectively, collectively including approximately 28,000 square feet of first floor commercial space and approximately 184 residential units, and to pay costs of public improvements and public enhancements associated with said Project, is hereby established and added to the Urban Development Department's list of fiscal year 2016-17 capital improvement projects within the Capital Improvement Program adopted by and attached to Resolution No. A-89947 as Schedule 5.

2. That the City Council hereby appropriates and directs the Finance Director to make the necessary adjustments to the annual budget to designate \$5,000,000.00 from Tax Increment Financing for this 48th & Leighton Phase 1 Redevelopment Project.

Introduced by Trent Fellers

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE 48<sup>TH</sup> & LEIGHTON PHASE 1 PROJECT. (RELATED ITEMS: 16R-229, 16R-230, 16-99) - CLERK read an ordinance, introduced by Trent Fellers, authorizing and providing for the issuance of City of Lincoln, Nebraska Tax Allocation Bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$5,000,000 for the purpose of (1) paying the cost of acquiring, purchasing, constructing, reconstructing, improving extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the City's 48th & Leighton Phase 1 Redevelopment Project Area, including acquiring any real estate and/or interests in real estate in connection therewith, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the third time.

FELLERS Moved to pass the ordinance as read.

Seconded by Lamm & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould: NAYS: None.

The ordinance, being numbered #20385, is recorded in Ordinance Book 31.

**RESOLUTIONS - 1<sup>ST</sup> READING**

AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$1,700,000 IN TIF FUNDS FOR THE HAYMARKET STREET AND STREETSCAPE PROJECT.

ADOPTING THE LINCOLN ELECTRIC SYSTEM RATE SCHEDULES TO BECOME EFFECTIVE JANUARY 1, 2017.

ADOPTING THE LINCOLN ELECTRIC SYSTEM ANNUAL BUDGET FOR 2017 TO BECOME EFFECTIVE JANUARY 1, 2017.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF OCTOBER 16-31, 2016.

**ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)**

APPROVING A LEASE AGREEMENT BETWEEN B&J PARTNERSHIP, LTD. AND THE CITY OF LINCOLN DBA CITY OF LINCOLN URBAN DEVELOPMENT DEPARTMENT FOR A LEASE OF OFFICE SPACE AT 850 Q STREET FOR THE PERIOD OF MARCH 1, 2016 THROUGH FEBRUARY 29, 2020 - CLERK read an ordinance, introduced by Jon Camp, an ordinance accepting and approving a Lease Agreement between B&J Partnership, Ltd. and the City of Lincoln dba City of Lincoln Urban Development Department for a lease of space at 850 Q Street for the period of March 1, 2016 through February 29, 2020, the first time.

APPROVING A PURCHASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND MOHAMMED H AL-SADY AND RAKAD H AL LATEEF FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 629 SOUTH 19<sup>TH</sup> STREET - CLERK read an ordinance, introduced by Jon Camp, an ordinance authorizing the sale of City owned property generally located at 629 South 19th Street, Lincoln, Nebraska, and approving the Purchase Agreement for the sale of said property between the City of Lincoln and Mohammed H Al-Asady and Rakad H Al Lateef, the first time.

CHANGE OF ZONE 16027 – APPLICATION OF BRYAN MEDICAL CENTER FOR A CHANGE OF ZONE TO REMOVE THE LANDMARK DESIGNATION FROM THAT PORTION OF THE BRYAN MEDICAL CENTER WEST CAMPUS THAT FORMERLY HOUSED THE SOPHY TEETER’S NURSES HOME, ON PROPERTY GENERALLY LOCATED AT 1650 LAKE STREET - CLERK read an ordinance, introduced by Jon Camp, an ordinance amending the City of Lincoln Zoning District Map attached to and made a part of Title 27 of the Lincoln Municipal Code to repeal the Landmark Designation of the former Sophy Teeter's Nurses Home, on the Bryan Medical Center West Campus, located at 1650 Lake Street, the first time.

ANNEXATION 16011 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 22 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 70<sup>TH</sup> STREET AND ROKEBY ROAD. (RELATED ITEMS: 16-108, 16-109) - CLERK read an ordinance, introduced by Jon Camp, an ordinance annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 16032 – APPLICATION OF ROKEBY HOLDINGS, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON APPROXIMATELY 22 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 70<sup>TH</sup> STREET AND ROKEBY ROAD. (RELATED ITEMS: 16-108, 16-109) - CLERK read an ordinance, introduced by Jon Camp, an ordinance amending the Lincoln Zoning Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

ANNEXATION 16012 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 15 ACRES OF PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF 70<sup>TH</sup> STREET AND YANKEE HILL ROAD. (RELATED ITEMS: 16-111, 16-110) - CLERK read an ordinance, introduced by Jon Camp, an ordinance annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 04075G – APPLICATION OF VILLAGE GARDENS DEVELOPMENT COMPANY, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT AND B-3 COMMERCIAL DISTRICT; DESIGNATING SAID PROPERTY AS A PLANNED UNIT DEVELOPMENT DISTRICT; AND APPROVING A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE, LAND SUBDIVISION ORDINANCE, AND DESIGN STANDARDS TO PROVIDE APPROXIMATELY 12.5 ACRES FOR A PLACE OF RELIGIOUS ASSEMBLY, AND APPROXIMATELY 2.5 ACRES FOR NEIGHBORHOOD COMMERCIAL USES, ON PROPERTY GENERALLY LOCATED NORTHWEST OF THE

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INTERSECTION OF 70<sup>TH</sup> STREET AND YANKEE HILL ROAD. (RELATED ITEMS: 16-111, 16-110)  
- CLERK read an ordinance, introduced by Jon Camp, an ordinance amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

APPROVING AN UPDATED MASTER PLAN FOR WOODS PARK FOR ADJUSTMENT OF PARKING LOTS TO ACCOMMODATE EXPANDED USES AT THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT. (RELATED ITEMS: 16R-245, 16-103, 16-104, 16-105, 16-106, 16-112, 16-113, 16-114, 16-115, 16R-246, 16R-247, 16-116) (ACTION DATE: 12/5/16)

APPROVING A CONSTRUCTION AND GROUND LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND LINCOLN CHILDREN'S ZOO, GOVERNING THE LEASE OF CURRENT AND EXPANDED FOOTPRINT OF LINCOLN CHILDREN'S ZOO TOGETHER WITH THE SCIENCE FOCUS PROGRAM/ZOO SCHOOL FOR STUDENTS OPERATED BY LPS ON THE TRIANGLE, GENERALLY BOUNDED BY 27<sup>TH</sup> STREET, NORMAL BOULEVARD, AND A STREET. (RELATED ITEMS: 16R-245, 16-103, 16-104, 16-105, 16-106, 16-112, 16-113, 16-114, 16-115, 16R-246, 16R-247, 16-116) - CLERK read an ordinance, introduced by Jon Camp, an ordinance accepting and approving a Construction and Ground Lease Agreement between the City of Lincoln and Lincoln Children's Zoo for the lease of real property generally bounded by 27th Street, Normal Boulevard, and A Street ("the Triangle") in Lincoln, Nebraska, governing the lease of the current and proposed expanded area of the Lincoln Children's Zoo together with the Science Focus Program operated by LPS for its students, the first time.

APPROVING A REAL ESTATE PURCHASE AGREEMENT OF PARKING AREA BETWEEN THE CITY OF LINCOLN AND LINCOLN CHILDREN'S ZOO FOR THE SALE OF CITY OWNED PARKING LOT GENERALLY LOCATED AT 2847 SOUTH A STREET. (RELATED ITEMS: 16R-245, 16-103, 16-104, 16-105, 16-106, 16-112, 16-113, 16-114, 16-115, 16R-246, 16R-247, 16-116) - CLERK read an ordinance, introduced by Jon Camp, an ordinance approving a Real Estate Purchase Agreement of the parking area between the City of Lincoln and Lincoln Children's Zoo for the sale of the City owned parking log generally located at 2847 A Street, Lincoln, Nebraska and a portion of an adjacent vacated alley to the south, the first time.

APPROVING AN OPERATING AGREEMENT BETWEEN THE CITY OF LINCOLN AND LINCOLN CHILDREN'S ZOO, GOVERNING ONGOING OPERATION OF LINCOLN CHILDREN'S ZOO ON LEASED CITY PROPERTY. (RELATED ITEMS: 16R-245, 16-103, 16-104, 16-105, 16-106, 16-112, 16-113, 16-114, 16-115, 16R-246, 16R-247, 16-116) - CLERK read an ordinance, introduced by Jon Camp, an ordinance accepting and approving an Operating Agreement between the City of Lincoln and Lincoln Children's Zoo, governing ongoing operation of Lincoln Children's Zoo on leased City property, the first time.

AMENDING TITLE 12 OF THE LINCOLN MUNICIPAL CODE RELATING TO PARKS BY REPEALING CHAPTER 12.36 ENTITLED "LINCOLN CHILDREN'S ZOO" IN ITS ENTIRETY BY REPEALING SECTIONS 12.36.010, 12.36.020, 12.36.030, 12.36.040, 12.36.050, 12.36.060, 12.36.070, 12.36.080, AND 12.36.090. (RELATED ITEMS: 16R-245, 16-103, 16-104, 16-105, 16-106, 16-112, 16-113, 16-114, 16-115, 16R-246, 16R-247, 16-116) - CLERK read an ordinance, introduced by Jon Camp, an ordinance amending Title 12 of the Lincoln Municipal Code relating to Parks by repealing Chapter 12.36 entitled "Lincoln Children's Zoo" in its entirety by repealing Sections 12.36.010, 12.36.020, 12.36.030, 12.36.040, 12.36.050, 12.36.060, 12.36.070, 12.36.080, 12.36.090 due to the contemporaneous approval of a Lease and Construction Agreement and Operating Agreement between the City of Lincoln and Lincoln Children's Zoo, both for fifty (50) year terms, that shall govern continued use and operation of the Lincoln Children's Zoo, the first time.

COMP. PLAN CONFORMANCE 16005 – DECLARING APPROXIMATELY 30,139 SQUARE FEET OF PROPERTY GENERALLY LOCATED AT 2847 A STREET AS SURPLUS PROPERTY. (RELATED ITEMS: 16R-245, 16-103, 16-104, 16-105, 16-106, 16-112, 16-113, 16-114, 16-115, 16R-246, 16R-247, 16-116) - CLERK read an ordinance, introduced by Jon Camp, an ordinance declaring approximately 30,139 square feet of City owned property generally located at 2847 A Street as surplus, the first time.

TEXT AMENDMENT 16010 – AMENDING CHAPTER 27.63 OF THE LINCOLN MUNICIPAL CODE RELATING TO SPECIAL PERMITS BY AMENDING SECTION 27.63.170 TO PROVIDE THAT A PARKING LOT MAY BE ALLOWED BY SPECIAL PERMIT IN THE R-1 THROUGH R-8 ZONING DISTRICTS AND IN THE O-2 ZONING DISTRICT IF THE PARKING LOT IS LOCATED WITHIN 360 FEET FROM PROPERTY OCCUPIED BY A ZOO AND THE PARKING LOT IS PRIMARILY USED IN CONNECTION WITH SAID ZOO, AND REPEALING SECTION 27.63.170 AS HITHERTO EXISTING. (RELATED ITEMS: 16R-245, 16-103, 16-104, 16-105, 16-106, 16-112, 16-113, 16-114, 16-115, 16R-246, 16R-247, 16-116) - CLERK read an ordinance, introduced by Jon Camp, an ordinance amending Chapter 27.63 of the Lincoln Municipal Code relating to Special Permits by amending Section 27.63.170 to provide that a parking lot may be allowed by special permit in the R-1 through R-8 zoning districts and in the O-2 zoning district if the parking lot is located within 360 feet from property occupied by a zoo and the parking lot is primarily used in connection with said zoo, and repealing Section 27.36.170 as hitherto existing, the first time.

- STREET & ALLEY VACATION 16005 – VACATING A PORTION OF SOUTH 29<sup>TH</sup> STREET RIGHT-OF-WAY, A PORTION OF THE EAST-WEST ALLEY LOCATED IN BLOCK 2, ZEHRUNG AND AMES ADDITION, AND A PORTION OF WASHINGTON STREET RIGHT-OF-WAY, GENERALLY LOCATED AT 2847 A STREET. (RELATED ITEMS: 16R-245, 16-103, 16-104, 16-105, 16-106, 16-112, 16-113, 16-114, 16-115, 16R-246, 16R-247, 16-116) - CLERK read an ordinance, introduced by Jon Camp, an ordinance vacating a portion of South 29th Street right-of-way, a portion of the east-west alley located in Block 2, Zehrung and Ames Addition, and a portion of Washington Street right-of-way, all located in the Northwest Quarter of Section 31, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, generally located at 2847 A Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.
- CHANGE OF ZONE 16028 – APPLICATION OF THE CITY OF LINCOLN PARKS AND RECREATION DEPARTMENT FOR A CHANGE OF ZONE FROM B-3 COMMERCIAL DISTRICT TO R-6 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 2847 A STREET. (RELATED ITEMS: 16R-245, 16-103, 16-104, 16-105, 16-106, 16-112, 16-113, 16-114, 16-115, 16R-246, 16R-247, 16-116) - CLERK read an ordinance, introduced by Jon Camp, an ordinance amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.
- SPECIAL PERMIT 16047 – APPLICATION OF OPAHC PROPERTIES, LLC TO CONSTRUCT AN ADDITIONAL PARKING LOT, INCLUDING WAIVERS TO SETBACKS AND STORM WATER DETENTION, ON PROPERTY GENERALLY LOCATED AT 2847 A STREET. (RELATED ITEMS: 16R-245, 16-103, 16-104, 16-105, 16-106, 16-112, 16-113, 16-114, 16-115, 16R-246, 16R-247, 16-116) (ACTION DATE: 12/5/16)
- WAIVER 16007 – APPLICATION OF OPAHC PROPERTIES, LLC TO WAIVE PARKING LOT SURFACING REQUIREMENTS, PURSUANT TO SECTION 27.67.100(C) OF THE LINCOLN MUNICIPAL CODE, ON PROPERTY GENERALLY LOCATED AT 2847 A STREET. (RELATED ITEMS: 16R-245, 16-103, 16-104, 16-105, 16-106, 16-112, 16-113, 16-114, 16-115, 16R-246, 16R-247, 16-116) (ACTION DATE: 12/5/16)
- CHANGE OF ZONE 16022 – APPLICATION OF THE CITY OF LINCOLN PARKS AND RECREATION DEPARTMENT TO DESIGNATE THE AGER BUILDING ON ANTELOPE PARK TRIANGLE EAST OF 27<sup>TH</sup> AND B STREETS AS A LANDMARK, CHANGING THE ZONING DISTRICT FROM P PUBLIC USE TO P PUBLIC USE WITH LANDMARK OVERLAY, ON PROPERTY GENERALLY LOCATED AT 1300 SOUTH 27<sup>TH</sup> STREET. (RELATED ITEMS: 16R-245, 16-103, 16-104, 16-105, 16-106, 16-112, 16-113, 16-114, 16-115, 16R-246, 16R-247, 16-116) - CLERK read an ordinance, introduced by Jon Camp, an ordinance amending the City of Lincoln Zoning District Map attached to and made a part of Title 27 of the Lincoln Municipal Code by designating certain property as a Landmark, the first time.

**ADJOURNMENT**

**3:47 P.M.**

- CAMP                      Moved to adjourn the City Council Meeting of November 7, 2016.  
                                    Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

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Teresa J. Meier, City Clerk

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Monet J. McCullen, Office Specialist

